

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Criminal No.
08-CR-20385

vs.

WILLIAMS JONES,

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Defendant.

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

This matter is presently before the Court on the Report and Recommendation ("R&R") of Magistrate Judge Paul J. Komives, dated June 21, 2010. On April 3, 2010, Defendant Jones, a federal prisoner, filed a motion to vacate, correct, or set aside his sentence pursuant to 28 U.S.C. § 2255. *See* docket entry 39. On June 1, 2010, Jones filed a motion to withdraw his April 3, 2010, motion. *See* docket entry 43. In his R&R of June 21, 2010, Magistrate Judge Komives recommends that the Court construe Jones' request to withdraw as a notice of voluntary dismissal under Fed. R. Civ. P. 41(a)(1)(A) and, accordingly, deem the April 3, 2010, matter withdrawn.

The parties have not filed objections to the Magistrate Judge's R&R and the time to do so has expired. Having reviewed this matter, the Court finds that Magistrate Judge Komives has reached the proper conclusions for the proper reasons. Accordingly, the Court accepts and adopts his R&R as the findings and conclusions of the Court, and dismisses without prejudice Defendant Jones' April 3, 2010, motion under § 2255.

SO ORDERED.

S/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: July 9, 2010

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on July 9, 2010.

S/Denise Goodine
Case Manager